

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Gong and Kufe
SERIAL NUMBER : 09/782,492 EXAMINER : Qian J. Li
FILING DATE : February 12, 2001 ART UNIT : 1632
FOR : CELL FUSIONS AND METHODS OF MAKING AND USING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Pursuant to 37 C.F.R. §1.136(a)(3), Applicants hereby request that the Examiner treat the May 14, 2004 authorization to charge any additional fees that may be due to Deposit Account No. 50-0311 as a constructive petition for an extension of time for the reply filed on February 7, 2005.

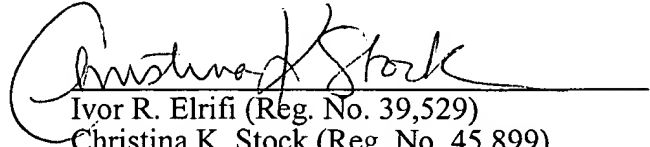
In response to an Office Action mailed on August 5, 2004 in the above-referenced case, Applicants submitted a continuation application under 37 C.F.R. § 1.53(b) on February 7, 2005. However, no written petition for a three month extension of time was filed in the above-referenced case in connection with this filing. Accordingly, Applicants respectfully request that the Examiner treat the May 14, 2004 authorization (courtesy copy included) as a constructive petition for a three month extension of time in the above-referenced case. With this extension of time, the continuation application filed in response to the outstanding Application was due on or before February 7, 2005 (February 5, 2005 being as Saturday). Therefore, Applicant submits that the continuation application filed on February 8, 2005 was a timely filed response to the August 5, 2004 Office Action.

Applicant: Gong, et al.
USSN: 09/782,492

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Attorney Reference No. 20363-004. A duplicate copy of this Communication is enclosed.

Respectfully submitted,

February 8, 2005



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